

### **REMARKS**

This paper is in response to the Office Action mailed on July 28, 2005, and the references cited therewith. Claims 1, 6, 9, 12, 16, 18, 24 and 26 are amended and claims 5, 8, 15, 17 and 23 are canceled such that claims 1-4, 6-7, 9-14, 16, 18-22 and 24-28 are now pending in this application.

#### **Allowable Subject Matter**

Claims 27 and 28 are allowed.

In addition, claims 5-7, 15, 16, 23 and 24 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has amended claim 1 to include all the limitations of objected to claim 5. There were no intervening claims between claim 5 and claim 1.

Applicant has amended claim 12 to include all the limitations of objected to claim 15. There were no intervening claims between claim 15 and claim 12.

Applicant has amended claim 18 to include all the limitations of objected to claim 23. There were no intervening claims between claim 23 and claim 18.

Reconsideration and allowance of claims 1-4, 6-7, 9-14, 16, 18-22 and 24-25 are respectfully requested.

#### **Interview Summary**

Applicant thanks Examiner Blackman for her courtesy during the telephone interview held on August 25, 2005 with Applicant's representative, Andrew R. Peret. Examiner Blackman discussed amended claim 26 and the cited references with Applicant's attorney. Examiner Blackman indicated that it appears that the pending rejection of claim 26 is overcome by amended claim 26.

Reconsideration and allowance of claim 26 are respectfully requested.

§102 Rejection of the Claims

Claims 1-4, 8-14, 17-22, 25 and 26 were rejected under 35 USC § 102(b) as being anticipated by Firester et al. (U.S. 6,611,241). Applicant respectfully submits that the claims as amended herein overcome the pending rejection.

Reservation of Right to File Continuation or Divisional Applications

Applicant respectfully traverses the pending rejections and reserves the right to reintroduce any original claims in one or more continuation or divisional applications at a later date.

Reservation of Right to Swear Behind References

Applicant reserves the right to swear behind any references which are cited in a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited references are not to be interpreted as admissions that the references are prior art.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6972 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.


Respectfully submitted,

MATTHEW B. DUBIN ET AL.

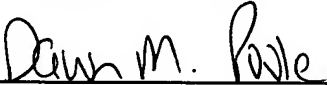
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6972

Date 10/25/2005

By   
Bradley A. Forrest  
Reg. No. 30,837

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25<sup>th</sup> day of October, 2005.



Name



Signature